

REMARKS

Claims 1-30 were pending at the time of the last Office Action. Applicant has amended claims 1, 10-17, 21, 23, and 25 and canceled claims 3, 4, 7, and 8. Thus, claims 1, 2, 5, 6, and 9-30 are now pending.

Applicant would like to thank the Examiner and her supervisor for their consideration during the telephone interview of January 8, 2009. During that interview, applicant's representative described applicant's technology and proposed amendments to claim 1. As discussed during the interview, applicant has further amended the claims to clarify that the installation of the application at a service consumer is conditioned upon the service provider indicating whether the application is authorized to use the service provider. The service provider determines that an application is not authorized based on notifications received from other service consumers indicating that the application is misbehaving. In this way, a service consumer can avoid installing an application that might misbehave because other service consumers actually experienced a misbehavior of the application and notified the service provider of the misbehavior. Applicant has also amended the claims to address the Section 101 concerns that the Examiner expressed during the interview.

The Examiner objected to claims 1, 21, 23, and 25 based on minor typographical errors. Applicant has amended these claims to address the Examiner's concerns.

The Examiner has rejected the claims as outlined in the following table:

Claims	Statute	References
1, 3, 4, and 7-9	103(a)	Choate and Maso
2	103(a)	Choate, Maso, and Davis
5 and 6	103(a)	Choate, Maso, and Barnes
10, 11, 14, 15, 17-20, 22-24, 26, 28, and 29	102(e)	Maso
12 and 25	103(a)	Maso and Davis
13, 16, 21, 27, and 30	103(a)	Maso and Choate

Although applicant disagrees, applicant has amended the claims to clarify the claimed subject matter.

Applicant's technology detects when an application that requests services of a service provider is misbehaving in its requesting of services of a service provider. For example, a consumer may want to install a third-party application on the consumer's computer that accesses certain financial services provided by the consumer's bank such as a service that provides a listing of all cleared checks. Because the consumer may not fully trust the application, the consumer may want to restrict the application from accessing a check writing service provided by the consumer's bank. In particular, the consumer may not want the un-trusted application to request the bank to write a check that has not been authorized by the consumer. Applicant's technology would allow the consumer to establish an indication of misbehavior and if a runtime environment at the consumer's computer detects that the application is attempting to misbehave, it can prevent the misbehavior and notify the service provider. For example, if the application attempts to write a check, the runtime environment intercepts the request to write the check so that the request is not sent to the consumer's bank. The runtime environment also notifies the bank so that it can take action against the third-party application such as ignoring all requests for services from that third-party application including requests on behalf of other consumers.

Claim 1 recites "establishing a limit on services of a service provider that the application is authorized to use." Claim 10 recites "providing an indication of misbehavior for the application when the application requests services of the service provider." Claim 17 recites "the application misbehaves when the application requests certain services of the service provider." Claim 23 recites "establishes an indication of misbehavior for the application when the application requests services of the service provider."

None of the relied-upon references teaches or suggests establishing an indication of misbehavior of an application in its requesting of services of a service provider. In rejecting claim 1, the Examiner points to Choate at paragraph 31 as describing “establishing a limit on services of a service provider that the application is authorized to use.” (Office Action, Sept. 17, 2008, p. 10.) Applicant respectfully disagrees. The relied-upon portion of Choates describes just the opposite of “establishing a limit on services” because it describes a purchase of “unlimited access to the content file” or “pay on a per-stream or play basis.” (Choate, ¶ 0031, emphasis added.) Thus, a customer has unlimited access to the content file and can pay apparently a single amount for the unlimited access or pay on a per-access basis. There is nothing in this relied-upon portion of Choate that suggests that the customer's access is somehow limited.

Each of the claims recites that the service provider is notified when an application is misbehaving. Claims 1 and 10 recite “notifying the service provider that the application is misbehaving.” Claim 17 recites “when service consumers determine that the application is misbehaving, receiving notifications of the misbehavior from the service consumers.” Claim 23 recites “notifies the service provider that the application is misbehaving.”

In rejecting claim 10, the Examiner points to Maso at column 3, lines “29-45-56” as describing “notifying the service provider that the application is misbehaving.” (Office Action, Sept 17, 2008, p. 4.) Applicant respectfully disagrees. The relied-upon portion of Maso describes that an API is instrumented so that parameters can be monitors. The monitored activity (presumably of a program accessing the API) can be reported to a Console Server or a system administrator. Neither the Console Server nor the system administrator provides any services to the program accessing the API. Rather, the Console Server provides a user interface through which the system administrator can view information relating to the monitored activity. (Choate, 3:64-65.) Also, the system

administrator is alerted when performance thresholds are reached. (Choate, 3: 45-46.) As such, Choate neither teaches nor suggests that a "service provider" is notified of the misbehavior of an application that is requesting services of that "service provider."

Based upon the above amendments and remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Please charge any deficiencies or credit any overpayment to our Deposit Account No. 50-0665, under Order No. 418268001US from which the undersigned is authorized to draw.

Dated: January 20, 2009

Respectfully submitted,

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